

Senate File 579

S-3238

1 Amend Senate File 579 as follows:

2 1. Page 3, after line 14 by inserting:

3 <Sec. \_\_\_\_ . CHILD SUPPORT ESTABLISHMENT AND ENFORCEMENT —  
4 UNBORN CHILD.

5 1. The department of health and human services shall  
6 request a state plan amendment from the office of child support  
7 enforcement of the administration for children and families  
8 of the United States department of health and human services  
9 to allow the state to establish and enforce the child support  
10 obligation of the biological father of an unborn child as  
11 defined in this Act, and subsequent to the birth of the child  
12 to the mother of such child, provided all of the following  
13 criteria are met:

14 a. The pregnant woman has requested the establishment of  
15 such child support obligation.

16 b. The obligation shall be applicable to the first month  
17 in which the unborn child was conceived, as determined by a  
18 physician, if the pregnant woman so requests.

19 c. Payment of the obligation may be retroactively collected  
20 or awarded if paternity has not been established but is  
21 established subsequent to the birth of the child.

22 d. The amount of the obligation shall be determined by a  
23 court, in consultation with the pregnant woman, taking into  
24 account the best interests of the pregnant woman and the child.

25 e. Any measure to establish the paternity of an unborn child  
26 prior to birth or a child after birth shall not be required  
27 without the consent of the pregnant woman.

28 f. Any measure to establish the paternity of an unborn child  
29 prior to birth shall not be taken if the measure poses any risk  
30 of harm to the unborn child.

31 2. The department of health and human services shall  
32 implement the provisions of this section only upon receipt of  
33 federal approval as provided in this Act.>

34 2. Title page, line 2, after <heartbeat,> by inserting  
35 <providing for support of an unborn child,>

1 3. By renumbering as necessary.

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CLAIRE CELSI